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SUBJECT: THE GAMBIA: 2008 TRAFFICKING IN PERSONS  
REPORT

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REFTEL: STATE 02731

11. (U) In accordance with Reftel, Embassy Banjul provides its submission to the 2008 Trafficking in Persons (TIP) Report.

12. (SBU) OVERVIEW:

1A. The Gambia is a country of origin, transit, and destination for victims of trafficking, mainly women and children. Due to its porous borders, The Gambia is a destination for victims internationally trafficked from other West African countries, mainly Senegal, Sierra Leone, Liberia, Ghana, Nigeria, Guinea Bissau, Guinea, and Benin. Trafficked victims in The Gambia are often found in the Greater Banjul Area and are used as beggars, street sellers, domestics, and sex workers. The Gambia is also a country of origin and transit point for West African trafficking victims seeking to reach Europe via air. There have also been increasing reports of instances of trafficking and smuggling operations out of The Gambia via sea using fishing boats as a means to reach Europe through Cape Verde and the Canary Islands. The distinction between migrant smuggling and trafficking is often blurred by government officials and journalists reporting on such issues.

Locating detailed data on trafficking is a significant challenge in The Gambia. Much of the information is anecdotal and based on interviews and opinions of officials working in victim protection and law enforcement. Statistics or estimates relating to the number of trafficking victims are difficult to attain. As one government official noted, "TIP is taking place, but the mode and method of trafficking can be difficult to determine." International agencies such as UNICEF often partner with local NGOs to address trafficking, but their reports do not provide a full picture of the scope of the problem.

The majority of anti-trafficking efforts and studies have focused on at-risk and exploited children, many of whom are not Gambian, as detailed below.

1B. In 2007 The Gambia's TIP ranking moved down from the TIP Tier Two to the Tier Two Watch List. The Gambian government has made some progress in implementing the recommendations made in the Watch List Action Plan, though some agencies have been more active than others. In recent years, there has been a marked improvement in the government's overall awareness of and action against TIP across all of the responsible agencies. Political will to address the problem remains steadfast and progress continues, though implementation of anti-TIP laws has been slow and the National Anti-TIP Action Plan has yet to be finalized by the government. A key highlight for this reporting period include the swift passage of a comprehensive Trafficking in Persons Act in September 2007, and actions by various government agencies to facilitate the identification of potential traffickers and the care of vulnerable children.

The government remains focused on child trafficking. Children are trafficked to, from, and within The Gambia to Koranic schools where they are forced to beg. These children, known as "almudus," are a growing cause of concern for the entire region. The tradition of sending children away for Koranic education has extremely sensitive cultural and religious roots, yet there is a growing awareness that many parents send their children to live with "marabouts" (Islamic teachers) expecting they will receive an education when in fact they spend most of their time begging or engaging in petty trade. Though the incidence of "almudus" has gained greater public and government attention in recent years, the phenomenon remains problematic. Many almudus report being beaten and otherwise mistreated by their marabouts.

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Child trafficking from surrounding countries remains a pressing problem in the region due to poverty and political instability, and many refugees from countries such as Sierra Leone or Liberia reside in The Gambia. For example, an ongoing joint project carried out by UNICEF, the Christian Children's Fund (CCF), and the Department of Social Welfare found that 38 percent of street children sampled in 2006 were from other countries in the sub-region. More recent anecdotal evidence shows that an even larger number of these children are not from The Gambia. In February 2008, the Director General of Immigration issued a public statement that alien ?almudus? could face deportation as part of a government crackdown on street begging, and in late February, over 60 non-Gambian almudus were deported. Additionally, as part of this crackdown, it was reported that 15 street beggars and almudus were arrested, and shortly thereafter released. All of the almudus were from Mali, Senegal, or Guinea and none were Gambian. Their marabout was given a strict warning to take better care of his students and to instruct them to desist from begging and provide them with proper food and shelter. The children were not given access to government shelter or counseling.

The Gambia is a tourist destination with over 100,000 annual visitors, mostly from Europe. Women and children are trafficked internally and from other West African countries to The Gambia as sex workers. It is common to see older European men and women with late teenage African girls and boys on the beaches and in the tourist areas. The sex trade in younger children has probably not been eliminated, but it has been driven underground by enforcement efforts. Organized networks using travel agencies are suspected but have not been uncovered.

Domestic servitude is another common form of internal and cross-border trafficking, though the perpetrators are often unwitting, as this type of employment has cultural roots and is not considered a crime by many. These cases are rarely, if ever, brought to court.

The first major case of trafficking uncovered in The Gambia, the 2004 government raid in Brufut known as the "Ghana Town" case, was detailed in the 2005 report. Lessons learned from the handling of that case resulted in signing of an agreement between the governments of Ghana and The Gambia for increased bilateral coordination on trafficking issues. The negative effects of extensive media coverage and failure to protect the identities of the victims helped mobilize stakeholders to develop a media Code of Conduct adopted by the Gambia Press Union in 2005.

A developing concern in The Gambia is the role of illegal migrant smugglers in human trafficking, using sea and air routes. The government often regards attempted migrant smuggling as a crime of trafficking, particularly as several children have been intercepted in smuggling attempts. Cases concerning such illicit activity were heard in the courts during the reporting period, and government officials were confident that some children being smuggled would have ended up as trafficking victims if not intercepted. There are varying opinions as to the degree of organization in trafficking in the country, though there is general agreement that The Gambia is used as a strategic point in trafficking operations. It is suspected that adoption scams are becoming increasingly problematic, and the police have warned that TIP victims in The Gambia and the rest of the sub-region could easily fall into the hands of rebel groups and terrorist organizations.

1C. The Departments of State for Justice, Health (Social Welfare), Foreign Affairs, Interior (Police and Immigration), Tourism, and Trade, and the National Intelligence Agency (NIA) are all involved in anti-

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trafficking efforts, and several departments have dedicated child protection divisions. The military, particularly the Navy, the Tourism Security Unit (TSU) and the Child Protection Unit (CPU), is playing an increasing role in prevention and enforcement. The Department of State for Justice, as Executive Secretariat of the Anti-TIP Task Force, has a lead

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role in coordinating anti-TIP efforts and has a designated TIP desk officer; however, the Justice Department remains short-staffed. Coordination between some agencies on TIP is improving and officials recognize the need for further capacity building and cooperative efforts. For example, the police units have a social welfare officer responsible for victims' rights and liaising with the Department of Social Welfare. However, as previously mentioned, the Anti-TIP Task Force needs to meet more regularly; its last official gathering was in August 2006, though some members met in June 2007 as part of a U.S. Embassy-sponsored briefing. A more comprehensive inter-agency effort is needed, as are improved communications and information sharing.

1D. There is acknowledgement at the highest levels of government that trafficking exists in The Gambia. Interviews with police and immigration officials demonstrate a sincere will to combat trafficking, and particularly to protect women and children from all forms of abuse. However, the ability of officials to

effectively act on this will is limited by poor training, lack of resources, and limited understanding of and training based on the new comprehensive anti-trafficking law. Government officials also cite cultural and social barriers to reporting rape, domestic welfare and abuse issues as hampering TIP eradication efforts.

Government corruption, while a problem, is slowly being addressed and has not affected efforts to combat TIP. Officials recognize the need to devise a clear, coherent strategy to address TIP when it comes to enforcement and prosecution. Interagency coordination has been weak on the subject of trafficking, but the government established a TIP Task Force in 2003 and is finalizing a National TIP Action Plan, which remained pending while attention was focused on drafting the new trafficking legislation, the 2007 Trafficking in Persons Act. Lack of funding and resources is a problem, but the government is devoting manpower and limited resources to combat TIP. There is also a varying, though often significant, amount of anti-TIP funding from international donors in The Gambia, both foreign governments and NGOs.

1E. Systematic monitoring of anti-trafficking efforts is limited, but the interagency Anti-TIP Task Force serves as a forum where progress is evaluated on all fronts -- prosecution, prevention, and victim protection. The U.S. Embassy attends and speaks at these meetings, and in June 2007 Embassy officials briefed several Task Force members on pressing TIP issues, including the Tier Two Watch List Short Term Action Plan for the country. However, the group has not met independently since 2006, and its members acknowledge it needs to meet more frequently to finalize and implement the National TIP Action Plan. The 2007 Trafficking in Persons Act provides for the establishment of a National Agency against Trafficking in Persons, to be managed by a Board of Directors. When the Agency is operational, the Board will consist of: a Chairperson; the Solicitor General and Legal Secretary; the Permanent Secretary of the Department

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of State for Health and Social Welfare; the Permanent Secretary of the Department of State for Foreign

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Affairs; the Permanent Secretary of the Department of State for the Interior; the Permanent Secretary of the Department of State for Trade, Industry, and Employment; a high-ranking representative from the Police, Immigration Department, and National Intelligence Agency; and four other persons from the private sector, including two from NGOs with a

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specialized interest in TIP.

Officials from all agencies are forthcoming, albeit disorganized, when information is requested on the government's anti-TIP efforts. As noted earlier, this is more often in the form of opinions and conjecture, rather than data and specifics. This reflects the Government's very limited data collection, compilation, and assessment capacity across the board. A new initiative by the government's Department of Social Welfare with support from UNICEF instituted a countrywide database for child protection in February 2008 with fact-checked data collected from the field. The system now needs to be networked and developed further.

13. (SBU) INVESTIGATION AND PROSECUTION OF  
TRAFFICKERS

1A. The comprehensive Trafficking in Persons Act, which brings Gambian domestic law in line with the 2005 TVPA requirements, was unanimously passed in the National Assembly on September 6, 2007, and the President enacted it on October 5, 2007. It covers trafficking for sexual and non-sexual purposes and both internal and transnational trafficking. The Act defines TIP as follows:

?Trafficking in persons means ?

(a) the recruitment of, provision of, transportation of, transfer of, harboring of, receipt of, or trading in, persons;

(b) the use of threat, force or other forms of coercion, abduction, kidnapping, fraud, deception, the abuse of power, or a position of vulnerability; or

(c) the giving or receipt of payments or benefits to achieve the consent of a person having control over another person,

for the purposes of exploitation within or across national borders.

Trafficking in persons also includes ?

(a) placement for sale, bonded placement, temporary placement, placement for service, where exploitation by another person is the motivating factor; and

(b) transportation of another person within and across an international border for the purpose of exploiting that person's prostitution.?

The 2005 Children's Act, another key piece of legislation, also prohibits trafficking and sets the penalty for trafficking in children to life in prison, along with a substantial monetary fine. The law also outlaws child marriage (under 18) and raises the minimum labor age for most types of work to 16. In accordance with the Act, the first Children's Court was launched in February 2006, held its first session in March 2006, and has met in camera on a weekly basis ever since. However, the Court's rules of procedure have yet to be established, and training is needed for the panelist members of the court, hampering its effectiveness. No convictions for child trafficking have been made under the Act as yet. The 2003 Tourism Offenses Act specifically addresses the problem of child sex tourism and outlaws child sexual exploitation and trafficking in children. The Gambia's Criminal Code, while not addressing trafficking specifically, has provisions on kidnapping, abduction, buying, selling, and exploitation of persons.

1B. The penalty for sexual and labor exploitation is ten years imprisonment, and the law generally does not differentiate between the two. There are several laws which stipulate penalties for trafficking and exploitation. Under the Children's Act, the penalty for trafficking children for such purposes is life imprisonment. The Trafficking in Persons Act sets the penalty for trafficking at the payment of a fine and 15 years to life imprisonment. Where trafficking

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includes the rape or the death of a victim, or child victims, the penalty is a fine and life imprisonment. The Tourism Offenses Act specifies that convicted traffickers or exploiters are subject to a fine and at least five to fourteen years imprisonment, depending on the particular crime of exploitation. No sex traffickers were convicted during the reporting period

1C. The laws do not differentiate between sexual and labor exploitation, and the penalties for such acts are detailed above. Criminal prosecution for

convicted exploitative employers or labor agents only applies to labor recruiters or agents in The Gambia, which is both a source and destination country of exploitative labor. Any actions against employers or agents involved in transnational cases would need to be directed to the government or diplomatic mission of the countries involved. The Trafficking in Persons Act provides Gambian courts with jurisdiction to try offenses whether they are committed by a Gambian citizen, resident, or someone present in The Gambia who has not extradited. Jurisdiction extends to offenses committed anywhere if they are either citizens or residents of The Gambia. The offenses listed in the Act are regarded as extraditable under the country's Extradition Act. There are no laws that specifically deal with fraudulent or deceptive labor offers or practices, though the Trafficking in Persons Act covers these incidents where they pertain to some form of trafficking or exploitation. The Trafficking in Persons Act also specifies that persons acting as intermediaries in trafficking or employers of victims of trafficking are subject to a fine and a sentence ranging from fifteen years to life imprisonment. There were no convictions of labor traffickers during the reporting period.

1D. The penalty for rape is life imprisonment, which is comparable to the penalty for child trafficking and child sexual exploitation and the penalties for rape in conjunction with trafficking (outlined above in Section B). The penalty for attempted rape is seven years imprisonment. These penalties are generally enforced, though in some cases the maximum penalty for rape has not been utilized. The courts take such cases seriously, particularly where children are concerned, and act much more quickly than in other judicial matters. For example, when a Guinean national was charged with raping a young girl in February 2008, the initial hearing took place very soon after the incident, though the case was ongoing at the end of the reporting period. However, societal taboos often limit the reporting of sex crimes.

1E. Prostitution and related activities are illegal. Police tend to hold periodic raids where prostitutes are rounded up, detained, and then released. The police operate independently in these raids and need to be sensitized to treat the women as potential trafficking victims. There has been no prosecution of pimps or establishments that condone or cater to prostitution.

1F. No traffickers have been convicted in The Gambia, largely due to a lack of evidence and/or poor documentation for a successful prosecution. Reported TIP cases often involved migrant smuggling rather than trafficking; for example, cases involving Senegalese men arraigned for human trafficking in The Gambia revealed that the men were attempting to smuggle people onto a boat in Gambian waters, but no grounds for actual trafficking were mentioned. Migrant smugglers have been tried and convicted. In September 2007, a Cape Verde national was sentenced to seven years in prison for attempting to kidnap a child.

Prosecutors note the societal barriers to reporting trafficking and abuse cases are compounded by the lack of codified enforcement procedures and investigation techniques for security forces. The new trafficking legislation has not yet been used in prosecuting

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trafficking cases, and public knowledge of the law is limited. Prosecution is further hampered by an unwillingness of Gambians to report suspecting trafficking cases or to publicly testify in such

cases. Officials report instances when charges are dropped or witnesses or victims have changed their testimonies thus destroying any potential case. There have been significant efforts by NGOs to reduce this problem. The media Code of Conduct mentioned above protects the identity of children involved in criminal cases.

When potential foreign traffickers are stopped at the border or apprehended in The Gambia, officials tend to either deny entry or deport the foreigner to his home country, with no follow-up action taken. Various agencies are working to make improvements in this area.

It is difficult to get up to date, reliable information on the status of trafficking cases and investigations. This is partly due to the fact that multiple agencies are involved in anti-trafficking efforts with limited coordination between actors. A second reason is the government's reluctance to share information that will be publicly released when a case is still under investigation.

The Gambian legal system is slow, inefficient and sometimes ineffective. It is worth noting that this applies across the board to all criminal cases and is not unique to trafficking cases.

1G. While limited government funding for anti-TIP efforts is problematic, NGOs and IOs such as UNICEF often take the lead in training efforts for government agencies. For example, UNICEF is working with the Department of State for Education to train teachers about the potential risks affecting vulnerable children. In April 2007, the government, the government of Sweden, and NGOs hosted a summit on trafficking, illegal migration, and sexual exploitation in tourism, which was chaired by a prominent government official. A U.S. Embassy official made a presentation on trafficking at the summit. In November 2007 the CPA held a sensitization workshop on child rights and protection for tour guides to educate them on how to combat child sexual exploitation in the tourism areas. Officials from the Department of Social Welfare also took part in the activities. The CPA also conducts such workshops for security personnel: in April 2007 rural security forces were trained, and in June 2007 army, immigration, and police officers were addressed. Internal trainings related to TIP were also carried out within government departments and agencies. Government officials were also specifically trained by outside partners. For example, during the reporting period, the Director of Social Welfare was trained by the U.K. Social Services Agency on law enforcement and interviewing techniques for child victims, and also took part in a regional IOM training on evidence collection.

1H. In the wake of the 2004 Ghana Town case and concerns of the growing problem of trafficking and smuggling operations of Ghanaians in The Gambia, there was extensive dialogue between the two governments on cooperation in trafficking cases. In 2005 a bilateral agreement was signed between The Gambia and Ghana to establish formal channels for cooperation on combating TIP, and bilateral legislation on child trafficking is in the final stages of drafting. A memorandum of understanding was signed between The Gambia and Spain in 2006 and a formalized agreement which includes provisions for cooperation in combating TIP was ratified in March 2007. The government is prepared to sign a multi-lateral agreement among the ECOWAS states that will further formalize and streamline regional anti-TIP efforts once it is finalized. The Gambian government works closely with governments and NGOs

from European countries that are concerned about the sex tourism trade in The Gambia.

¶I. There has been no formal extradition into or out of The Gambia in regards to trafficking. However, the government has shared information with foreign governments that has led to prosecution in their home countries in sex tourism cases.

¶J. There is no evidence of official tolerance of trafficking in The Gambia. Government officials are vocal in condemning TIP and have made well-publicized statements in popular media outlets. There is concern over the appropriate way to deal with the problem of "almudus" and disagreement among officials over whether the children are trafficking victims. CPA and other NGOs, as well as the Department of Social Welfare, have implemented programs to sensitize rural communities, security forces, teachers, parents, lawyers, and traditional religious leaders to the dangers of TIP.

¶K. To Post's knowledge, no government officials have been accused of or investigated for trafficking. While there are no specific cases to refer to, police and immigration officials are often perceived to be corrupt and ineffective. Corruption in regards to trafficking, particularly among lower-ranking law enforcement officers, cannot be ruled out.

¶L. There have been no cases of Gambian nationals deployed on peacekeeping or other missions who have been suspected of or charged with engaging in or facilitating severe forms of trafficking or exploiting victims of such trafficking. Any such convicted suspects would be subject to investigation and conviction under the provisions of Trafficking in Persons Act.

¶M. Child sex tourism is a problem in The Gambia, which is a destination country for such activities. The Gambia has extraterritorial agreements with the United Kingdom and The Netherlands for pedophilia offenses, but no deportations, extraditions, or prosecutions reportedly occurred during the past year. Countries of origin for sex tourists include many northern European countries which are also countries of origin for the majority of tourists in The Gambia. The laws regarding child sexual abuse do not have extraterritorial coverage; any such prosecution involving countries not involved in extraterritorial agreements would have to take place via diplomatic channels. Under the Trafficking in Persons Act, however, suspects who remained in-country would be subject to prosecution. The problem cited by security force officials is that most suspected sex tourists are in the country for too brief a time to make a case against them, and many have learned to avoid the major tourist areas and have gone underground. The Tourism Security Unit (TSU) has proposed that the Department of State for Justice establish a fast-track court to deal with child sexual exploitation cases involving foreign tourists. The TSU is also working with the Gambia Tourism Authority (GTA) to compile a database to profile suspected and/or convicted pedophiles and/or traffickers. The TSU is also working to uncover sex offenders who are using informal accommodations during their stay in The Gambia, while the GTA is involved in international efforts to combat child sex tourism. The GTA also works with the CPA and government agencies on child sexual exploitation cases.

¶4. (SBU) PROTECTION AND ASSISTANCE TO VICTIMS:

¶A. The government did not specifically identify foreign trafficking victims during the reporting period, though some ?almudus? from other countries found begging in the streets were returned back to their countries of origin. The percentage of these almudus provided with counseling and shelter is

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unclear. The Trafficking in Persons Act provides for temporary residence visas pending criminal, civil, or other legal actions.

¶B. The country has victim care facilities, including a 24-hour shelter for child victims, available for victims of child trafficking, though no specialized facilities for TIP victims currently exist. Foreign victims are provided with care if they are referred to the Department of Social Welfare, which is usually the first point of contact for victims of trafficking and child abuse. Social Welfare and partner NGOs provide security, health practitioners, and counselors for child victims, and works with victims and foreign embassies to try to reunite foreign victims with their families abroad. Generally, however, the police are first responders when problems are initially reported and they work with Social Welfare on TIP-related cases. The Tourism Security Unit and Police?s Child Protection Unit also refer children to an NGO, SOS Children?s Village, for care. There are also specialized police officers in major police stations countrywide to assist and counsel victims, and return them to their homes if it is deemed appropriate. Plans are underway to open a second government-run shelter in the Upper River Region (URR), a rural area in The Gambia's eastern region that is several hours from the capital.

As previously mentioned, the Trafficking in Persons Act provides for the establishment of a National Agency against Trafficking in Persons, which has not yet been formed. It also details a Fund for Victims of Trafficking to be managed by the Agency. The Fund will, inter alia, provide assistance of victims to trace their families and provide training in various skills as a rehabilitative measure. The Act also provides or increased victim care by, inter alia, providing for temporary care and counseling of victims, ensuring victims are not subjected to discriminatory treatment, and allowing victims to access health, legal, psychological, and other social services while in temporary care. Because the Fund has not yet been implemented, no victims have been assisted to date.

The government has also established a 24-hour hotline number, 199, that directly connects callers to the two dedicated officers from the Department of Social Welfare. Although the number is called a family assistance hotline, it is also advertised as an available resource for victims of trafficking. However, few trafficking cases are called in; according to the Department of Social Welfare, most trafficking cases are detected by security forces instead. Social Welfare officials work closely with security forces, including the National Intelligence Agency, on potential trafficking cases.

The ongoing UNICEF, Christian Children's Fund, and Department of Social Welfare project for street children, including victims of trafficking, in the greater Banjul area, aims to provide a safe environment for such children through a center providing non-formal education, recreational activities, counseling, and medical and hygiene services. Two social workers from Social Welfare are assigned to the center, and a nurse visits twice a

week.

1C. Due to meager resources, the government is unable to provide funding to NGOs and international organizations, but collaborates with such organizations on trainings, sensitization campaigns, and personnel involvement as detailed throughout this report.

1D. There is no formal screening or referral process yet in place. Social Welfare is the lead agency in protection of trafficking victims, though few such victims are reported. The Director works closely with

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all security forces, NGOs, and support services, and networks on an ad hoc basis to provide shelter and care when the issue of victim assistance arises. Social Welfare held a national conference in April 2007 for children, adults, government officials, and other stakeholders to adopt the national strategic plan of action on orphans and vulnerable children (OVCs) for 2007-2015. The document outlines methods of promotion and protection of the rights of this at-risk group, including implementation of the Children's Act. It is expected that the protection process will become more streamlined as the Trafficking in Persons Act and plan of action on OVCs are enforced. The Director of Social Welfare acknowledges that progress in this area will be slow as many Gambians require education about trafficking to acknowledge, identify, and address the problem in the country; her department is adopting a community-based approach to increase awareness of trafficking and assist victims. The government also documents refugees, especially unaccompanied minors, who are perceived as vulnerable.

1E. Does not apply.

1F. There have not been enough active trafficking cases in The Gambia to make an assessment about respect for victims' rights. It is conceivable that some victims would be treated initially as criminal suspects; for example, a prostitute picked up in a raid would be brought to the police station. However, if trafficking were suspected or identified it is likely that Social Welfare would intercede on behalf of the victim. Sensitization trainings conducted throughout the year have attempted to make security officers capable of identifying and assisting potential trafficking victims. The presiding magistrate of the Children's Court has identified the need for a juvenile rehabilitation center for potential juvenile offenders, since they cannot legally be held with adults in jails and the police often place such suspects in holding cells with adults, sometimes for extended periods.

1G. Government officials indicate that they would encourage victims to assist in the investigation and prosecution of trafficking, although they feel most victims are unwilling to come forward and report cases due to cultural stigma. No known incidents of such victim assistance took place during the reporting period. Awareness-raising campaigns are in place in an effort to change this. Under the Trafficking in Persons Act, victims, regardless of their immigration status, are able to bring civil action against traffickers and anyone else, including public officials, who have exploited or abused the victim. However, no such actions were taken during the year. Victims of sexual violence are permitted to provide evidence to the court in camera. Due to a lack of prosecutions under the Act, it is unclear if victims are permitted to obtain other employment or to leave the country pending trial proceedings. The Act also

provides for a victim's compensation, restitution and recovery for economic, physical and psychological damages to be met from the assets of the convicted trafficker.?

¶H. There are now two shelters available for victims of child trafficking in The Gambia, the new 24-hour government shelter cited previously and the existing day shelter funded by Standard Chartered Bank. For cases involving adult victims of trafficking, Social Welfare would secure shelter on an ad-hoc basis by appealing to a variety of NGOs that assist women in need. The number of trafficking victims assisted is not available. The new Trafficking in Persons Act provides for several rehabilitative and support measures for all victims of trafficking.

¶I. The government takes advantage of every opportunity presented to train and further educate government officials in recognizing and combating TIP,

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but has serious financial constraints. During the reporting period, the Child Protection Unit of the Gambia Armed Forces and Defense Department conducted workshops for various security enforcement units. The Department of Social Welfare has also worked with security forces to train them in victim care. As detailed throughout this report, the government has worked with domestic and international NGOs to train government officials in trafficking-related issues, particularly those related to children. However, Post knows of no training on protections and assistance to The Gambia's embassies and consulates in foreign countries; the limited resources available to the government make such training highly unlikely, though relationships between embassies and consulates and NGOs would likely be encouraged.

¶J. The government has not been involved in assisting its repatriated nationals who were victims of trafficking, as most Gambians repatriated during the year were illegal migrants. No such cases were addressed by the government this year. It is likely that such assistance would attempt to reunite the victim with their families, and under the Trafficking in Persons Act, repatriated victims are eligible for government-provided care and rehabilitative measures.

¶K. UNICEF is the lead international organization in The Gambia when it comes to TIP. UNICEF reports have been the first attempt at determining the extent of the child trafficking problem in The Gambia. CPA works closely with UNICEF and has been the lead agency in awareness raising and lobbying on behalf of child victims of trafficking. Both agencies have strong contacts and lines of communication with the Gambian government and have worked closely with European-based NGOs and government agencies that deal with trafficking and children's issues. Catholic Relief Services (CRS) has a presence in The Gambia and has indicated a desire to play a larger role in assessing and combating TIP. The International Organization for Migration (IOM) has a presence in The Gambia, and is a member of the Anti-TIP Task Force. Though the government is currently unable to provide significant assistance to TIP victims due to funding, personnel, and training constraints, it works closely with NGOs, though it is unable to support their efforts financially. The regulations set forth in the Trafficking in Persons Act provide for further government involvement in victim assistance, as previously detailed.

¶5. (SBU) PREVENTION:

1A. The government acknowledges, at the highest levels, that trafficking exists in The Gambia. For example, the Attorney General and Secretary of State for Justice, Director of the Department of Social Welfare, leaders of the security forces, and the Speaker of the National Assembly have all expressed their concern about trafficking and have worked to curb trafficking, especially child trafficking.

1B. There were no government-run anti-trafficking information and education campaigns during the reporting period, but the GTA continued to promote its leaflet version of the Code of Conduct for the Protection of Children in the tourist areas, though it is unclear how widely it was distributed. Other programs were implemented by NGOs and IOs in collaboration with the government, mostly targeting communities and potential victims of trafficking.

1C. The relationship between government, NGOs, and CSOs on trafficking, as noted above, is cooperative in The Gambia, and trainings and workshops are held among the various stakeholders. The government recognizes that it lacks the capacity to thoroughly combat TIP, and it welcomes the involvement and support of other elements of society. Many of the workshops and campaigns detailed in this report are examples of

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cooperation between government and civil society, and several NGO and CSO leaders in The Gambia were formerly government officials, or vice-versa.

1D. Although there is no comprehensive analysis of emigration and immigration patterns for evidence of trafficking, the Director General of Immigration has demonstrated a keen desire to eliminate cross-border trafficking in The Gambia. In accordance with ECOWAS standards, no minor is allowed to cross the border without a parent or proof of parental consent to travel. Law enforcement officials have voiced frustration that they sometimes feel powerless to act when a traveler can produce a real, albeit suspicious, birth certificate showing either family relationship or an over-18 birth date. The Director General reports close cooperation with his counterparts in Senegal and Guinea Bissau on international trafficking issues and cases. The National Drug Enforcement Agency, which is active in both the government's Illegal Migration Task Force and the Anti-TIP Task Force, is working to quickly enact an anti-money laundering and counterfeiting regime that aims to curb resource flows to trafficking networks.

Immigration, customs, and security officials are increasingly embracing their role in combating TIP. For example, a mobility assistance unit comprised of security agents patrols the country's borders and, with the assistance of the Navy, the seafront. Undercover intelligence work has uncovered minors attempting to illegally emigrate, many of whom were suspected victims of trafficking, or were considered as such by the government. However, security officials note the need for further cooperation and training in TIP awareness and victim care and interviewing techniques.

1E. There is a multi-agency task force, detailed above, that works on TIP. It needs to meet more frequently, and coordination among task force members needs to be strengthened, though it is expected that the new Anti-TIP Agency outlined in the 2007 Trafficking in Persons Act, once instated, will eventually replace the task force. The concerned agencies need to reach agreement on the proper way to implement legislation dealing with trafficking.

Government efforts to tackle and investigate public corruption declined somewhat during the reporting period, and there was no task force for corruption.

¶F. The government has a draft National TIP Action Plan. The Department of State for Justice is the lead agency for drafting the action plan, with input from all stakeholders, including NGOs. However, the Department, which also serves as the secretariat of the government's Anti-TIP Task Force, was focused on the finalization and passage of the Trafficking in Persons Act, and little progress has been made on the action plan since the last report.

¶G. The government's Tourism Security Unit has been effective in patrolling the Tourism Development Area, the zone most frequented by tourists, to combat child sex tourism, commercial sex acts and other crimes. Gambians entering such areas generally must show identification to prove they are not commercial sex workers. The police arrest suspected prostitutes, as mentioned above.

¶H. Not required of Post.

¶I. The Trafficking in Persons Act is applicable to Gambian nationals abroad, and as such, should cover those deployed as part of peacekeeping or similar missions. A sensitization campaign for those deployed on TIP is necessary.

¶6. (U) Post contact is Political/Economic Officer Menaka M. Nayyar, telephone +220 439-2856 x 2300, fax +220 439-2475, email NayyarMM2@state.gov.

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¶7. (U) The number of hours spent per embassy officer and respective ranks are as follows:

- Political/Economic Officer, FP-04, 50 hours
- Deputy Chief of Mission, FS-02, 2 hours
- Chief of Mission, ES-00, 2 hours

WELLS